

Applicant or Patentee: Tobey J. MacDonald, Kevin M. Brown and Dietrich A. Stephan

Serial or Patent No.: TBA Atty. Dkt. No. 64688/153 Filed or Issued TBA:

For: A Gene Expression Based Method For Distinguishing Metastatic From Non-Metastatic Forms of a Tumor, and Use in Designing Therapeutic Drugs

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27 (c)) — NONPROFIT ORGANIZATION

I hereby declare that I am empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Children's National Medical Center

ADDRESS OF ORGANIZATION: 111 Michigan Ave., NW, Washington, DC 20010

TYPE OF ORGANIZATION:

----- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

---X--- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))

----- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE)
(CITATION OF STATUTE)

----- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3) IF LOCATED IN THE UNITED STATES OF AMERICA

----- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE)
(CITATION OF STATUTE)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled A Gene Expression Method for Distinguishing Metastatic from Non-Metastatic Forms of a Tumor, and Use in Designing Therapeutic Drugs

by inventor(s) Tobey J. MacDonald, Kevin M. Brown and Dietrich A. Stephan
described in:

X the specification filed herewith

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

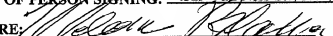
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate: (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Melvin Blecher, PhD, JD

TITLE OF PERSON OTHER THAN OWNER: Patent Counsel for Applicant

ADDRESS OF PERSON SIGNING: 4329 Van Ness St., NW, Washington, DC 20016-5625

SIGNATURE:  DATE: August 28, 2001

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A Gene Expression-Based Method For Distinguishing Metastatic from Non-Metastatic Forms of a Tumor, And Use In Designing Therapeutic Drugs

the specification of which (check one)

☒ is attached hereto
was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).


I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

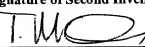
I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

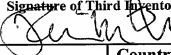
I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Dr. Melvin Blecher, Reg. No. 33,649.

Send all correspondence to 4329 Van Ness St., NW, Second Floor, Washington, DC 20016-5625. Address telephone communications to Dr. Melvin Blecher at Tel. (202) 363-3338; FAX (202) 362-8404.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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